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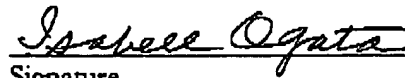
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Title of Document Transmitted:	SUPPLEMENTAL BRIEF OF APPELLANTS and REQUEST FOR REINSTATEMENT OF THE APPEAL.
Applicant:	Brian P. Mathews et al.
Serial No.:	09/539,500
Filed:	March 30, 2000
Group Art Unit:	2123
Title:	METHOD AND APPARATUS FOR PROVIDING ACCESS TO DRAWING INFORMATION
Our Ref. No.:	G&C 30566.80-US-U1

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Due Date: October 22, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian P. Mathews et al.	Examiner:	Eduardo Garcia Otero
Serial No.:	09/539,500	Group Art Unit:	2123
Filed:	March 30, 2000	Docket:	G&C 30566.80-US-U1
Title:	METHOD AND APPARATUS FOR PROVIDING ACCESS TO DRAWING INFORMATION		

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By: 
Name: Jason S. Feldman

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Commissioner for Patents
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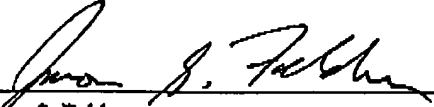
We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Supplemental Brief of Appellants and Request for Reinstatement of the Appeal.

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G&C 30566.80-US-U1

Due Date: October 22, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

RECEIVED
CENTRAL FAX CENTER

In re Application of:)

Inventor: Brian P. Mathews et al.)

Serial #: 09/539,500)

Filed: March 30, 2000)

Title: METHOD AND APPARATUS FOR
PROVIDING ACCESS TO DRAWING
INFORMATION)OCT 22 2004
Examiner: Garcia Otero, Eduardo

Group Art Unit: 2123

Appeal No.: _____

**SUPPLEMENTAL BRIEF OF APPELLANTS AND
REQUEST FOR REINSTATEMENT OF THE APPEAL**

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §41.37, Appellants hereby submit the Appellants' Supplemental Brief and Request for Reinstatement of the Appeal from the rejection in the above-identified application, as set forth in the Office Action dated July 22, 2004.

This Supplemental Appeal Brief is a request to reinstate the previously filed Appeal. Accordingly, no fees are due. However, should any fees be deemed necessary, please charge any additional fees or credit any overpayments to Deposit Account No.50-0494 of Gates & Cooper LLP.

I. REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc., the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

III. STATUS OF CLAIMS

Claims 1-15 are pending in the application.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, U.S. Patent No. 6,057,929 (Walker) and "Understanding Thin-Client/Server Computing" by Joel P. Kanter, Microsoft Press, 1988 (Kanter).

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Bodin, U.S. Patent No. 6,604,106 (Bodin).

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Bodin.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Guck, U.S. Patent No. 5,911,776 (Guck).

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker and Kanter.

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker and Kanter.

Claims 7-10 were rejected under the same grounds as claims 2-5.

Claims 11-15 were rejected under the same grounds as claims 6-10.

All of the above rejections are appealed herein.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made subsequent to the Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Computer Aided Design (CAD) drawings and programs are well known in the art. However, such prior art programs were limited to client-based applications that were not flexible (see page 3, lines 9-12). Further, the drawing formats were too large for transport across a network.

To view a prior art drawing on a network, the drawing program that created the drawing was forced to convert the drawing to a compressed format and then upload or use a web publisher to put the converted drawing onto a server for access on the Internet (see page 5, line 15-page 6, line 13). Such limitations and requirements are burdensome and inefficient.

Independent claims 1, 6, and 11 are generally directed to providing access to drawing information across a network (see page 1, lines 21-23). Specifically, the claims provide for a server 206 that has at least three components: an information extraction server component 302 (see page 7, line 7), a search server component 304 (see page 7, line 7), and a conversion server component 306 (see page 7, lines 7-8).

The information extraction server component 302 provides information relating to the drawing file such as the file size, date, and author (see page 13, lines 11-15). The search server component 304 provides a query engine that allows queries of the drawing file (e.g., for various properties) (see page 13, lines 16-20). The conversion server component 306 transforms the drawing file from one format to another format without accessing the program that created the file (see page 13, line 21- page 14, line 1). Lastly, the server 206 is configured to provide/transmit the data from the various components 302-306 (e.g., the information from the drawing file, the query results, and/or the transformed drawing file) across a network 202 to a user using a graphical user interface of a web browser 208 (see page 13, lines 13-14; page 14, line 2 -page 1, line 4; and page 17, lines 3-8).

Dependent claims 2, 7, and 12 include a further limitation wherein an active server page (ASP) 308 interacts with one of the server components 302-306 to obtain requested information in the graphical user interface of the web browser 208 (page 14, lines 2-18).

Dependent claims 3, 8, and 13 provide the further limitation that the conversion component 306 is cached (page 13, line 22-page 14, line 1).

Dependent claims 4, 9, and 14 provide the additional limitation that the search server component 304 utilizes an index server 428 that interacts with drawing filters 422 to filter and retrieve information (page 16, lines 9-10).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, U.S. Patent No. 6,057,929 (Walker) and "Understanding Thin-Client/Server Computing" by Joel P. Kanter, Microsoft Press, 1988 (Kanter).

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Bodin, U.S. Patent No. 6,604,106 (Bodin).

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Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Guck, U.S. Patent No. 5,911,776 (Guck).

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker and Kanter.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker and Kanter.

Claims 7-10 stand rejected under the same grounds as claims 2-5.

Claims 11-15 stand rejected under the same grounds as claims 6-10.

VII. ARGUMENTS

A. The Independent Claims Are Patentable Over The Prior Art

Independent claim 1 was rejected as follows:

24. Claim 1 (amended) is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter.
25. Claim 1 (amended) is an independent "computer implemented system" claim with 5 limitations, labeled by the Examiner for convenience.
26. [1] "a drawing file" is disclosed at Shumaker page 267 "AutoCAD drawing files are composed of vectors. A raster file defines objects by the location and color of the screen pixels. Rasterfiles are usually called bitmaps... You can work with raster files using the Image dialog box. Some of the most common raster files used in industry today are the following: .GIF (Graphics Interchange Format)... .PCX (Personal Computer Exchanged)... .TIF (Tagged Image File Format)... .BMPPCTJPGFLD or .FLI", and at page 277 "A vector file contains objects defined by XYZ coordinates. Auto CAD allows you to work with several different vector files using the Export Data and Import File dialog boxes. The most common is the AutoCAD drawing file (.dwg). Other vector file types are .dxf, .3ds, .wmf, and .sat".
27. [2] "an information extract server component configured to provide information relating to the drawing file from a group of information comprising file size, date, and author" is

disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled "Details", and the description "Pick to view information about the image".

28. [3] "a search server component configured to provide a query engine that allows queries of the drawing file" is disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled "Details", and the description "Pick to view information about the image".
29. Shumaker does not expressly disclose the remaining limitations.
30. [4] "a conversion server component configured to transform the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file" is disclosed at Walker at column 3 lines 46-62, "The file format of the drawing file 17 and the image characteristic data file 18 vary according to, and are determined by, the architect's drafting software and the printer system that generates the prints. To provide greater uniformity, the present invention initially converts the drawing file to a neutral data file format, as indicated by step 12, in FIG. 2. In the preferred embodiment, the neutral data file is created using the Page Masters Apprentice Software Program, although several other commercially available programs could be used to create a neutral data file. Accordingly, the system converts the drawing file format to the Page Masters Apprentice file format. Page Masters Apprentice files are denoted by a VIC file extension. While the .VIC extension is used on the preferred embodiment, the extension is arbitrary and may be easily changed, for example, .AEC could be used. The conversion of the drawing file to the neutral format is transparent to the reprographer."
31. [5] "a server comprising the information extraction server component, the search server component, and the conversion server component, wherein the server is configured to provide the information, query results, and the transformed drawing file across a network to a user using the graphical interface of a web browser" is disclosed by Kanter page ix "Microsoft Windows-based business-critical applications using Citrix WinFrame thin-client/server system software... Thin-client/server computing means that 100% of all application execution lives on the server. Users gain universal access to these applications from powerful desktop computers using thin-client software or through truly thin devices such as the Windows-based terminal. Enabling this computing architecture is the Independent Computing Architecture (ICA) protocol, which is emerging defacto standard for thin-client/server computing. The ICA protocol provides a standard way of exchanging application presentation services between powerful servers and a limitless range of information appliances...", and page x "In addition to simplified management... application and data security is outstanding", and page 4 "multiple concurrent thin-client users to log on and run applications in separate protected Windows sessions on the server... client devices access the same applications", and page 6 "MultiWin, a multiuser layer on the server that stimulates local application processing" and page 7 "allows the use of... existing native applications", and page 33 "The World Wide Web is technically an Internet client server hypertext-distributed information system. You might view it as a very large multimedia client/server network. The browser (the client) downloads remote text and graphics files from a server to the local computer and then displays them on the local computer's screen", and page 59 "ICA allows an application's logic to execute on an application server. Only the user interface, keystrokes, and mouse movements are transferred between the server and the client device over any network or communications protocol, which results in minimal client resource consumption".
32. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker to modify Shumaker. One of ordinary skill in the art would have been motivated to do this "To provide greater uniformity" according to Walker column 3 line 49, and because Kanter page x "In addition to simplified management... application and data security is outstanding".

Independent claims 6 and 11 were rejected on the same grounds as claim 1. Appellants also note that almost identical rejections were made in the prior final Office Action but for the current rejection has merely changed paragraphs 31 and 32 to rely upon Kanter instead of Derfler in rejecting the claims. Accordingly, Appellants reassert the previous arguments with respect to the majority of the claim elements and set forth additional arguments herein to address the Kanter reference.

Appellants traverse the above rejections for one or more of the following reasons:

- (1) Neither Shumaker, Walker, Bodin, nor Kanter teach, disclose or suggest the claimed server components on a server;
- (2) Neither Shumaker, Walker, Bodin, nor Kanter teach, disclose or suggest a server providing information relating to a drawing file across a network to a user using a graphical user interface of a web browser;
- (3) Neither Shumaker, Walker, Bodin, nor Kanter teach, disclose or suggest a server providing query results from a query of a drawing file across a network to a user using a graphical user interface of a web browser; and
- (4) Neither Shumaker, Walker, Bodin, nor Kanter teach, disclose or suggest a server providing a transformed drawing file across a network to a user using a graphical user interface of a web browser.

As described above, independent claims 1, 6, and 11 are generally directed to providing access to drawing information across a network. Specifically, the claims provide for a server that has at least three components: an information extraction server component, a search server component, and a conversion server component. The information extraction server component provides information relating to the drawing file such as the file size, date, and author. The search server component provides a query engine that allows queries of the drawing file (e.g., for various properties). The conversion server component transforms the drawing file from one format to another format without accessing the program that created the file. Lastly, the server is configured to provide/transmit the data from the various components (e.g., the information from the drawing file, the query results, and/or the transformed drawing file) across a network to a user using a graphical user interface of a web browser.

The cited references do not teach nor suggest these various elements of Appellants' independent claims. To teach the information extraction server component, the Office Action relied on Shumaker. However, Shumaker merely describes a standard AutoCAD program available from the assignee of the present invention. Namely, the version of AutoCAD described is simply a client-based program that is not operated on a network. The claim specifically provides that the component is an information extraction server component. No such server or server component is described, implicitly or explicitly, by Shumaker.

In response to the above argument a prior final Office Action (dated January 12, 2004) provides:

18. Second, Applicant asserts that Shumaker's standard AutoCAD program is a client based program that is not operated on a network, and asserts "No such server or server component is described, implicitly or explicitly by Shumaker". However, Shumaker's prior art must be interpreted in the context of Shumaker's Chapter 15 is titled "AutoCAD and the Internet" and includes the paragraph "AutoCAD Release 14 now incorporates a set of tools called the Internet Utilities...Web Browser... you can now share drawing information with systems that do not have AutoCAD installed" at page 347. Thus, Shumaker clearly discloses networks, and implicitly discloses network servers. Said page 347 is supplied to the Applicant with this action.

...
21. Thus, one of ordinary skill in the art would interpret Shumaker's AutoCAD as capable of being a stand-alone program isolated in a single computer, and also as capable of being a "specific facility" (using IEEE terminology) in a server, and serving clients.

Appellants note that Shumaker's Chapter 15 is entitled, "AutoCAD and the Internet". However, page 347 of Chapter 15 clearly indicates that the Internet Utilities merely provide the ability to save a drawing in a format that can be placed on a Web site and then viewed on the Web site using a Web browser. Further, the Chapter indicates that once placed on a web site, the drawing may be viewed using a web browser on systems that do not have AutoCAD installed. However, such a teaching is not similar to (nor does it render obvious) the claimed invention. In this regard, while the present claims provide for an information extraction server component that is on a server containing multiple components, Shumaker merely provides the ability to place a drawing on a web site (that may be hosted by a server). The functionality provided by the server hosting the web site is unknown. In fact, Appellants submit that the functionality claimed and provided by a single server is not described whatsoever in any of the cited references.

In view of the above, Appellants agree that Shumaker may implicitly disclose a network server. However, Shumaker's implicit disclosure is limited to the hosting of a web site and the

drawings that are stored in a particular format by AutoCAD. Such a teaching does not disclose or suggest, implicitly or explicitly, a server having an information extraction server component that provides information as claimed.

Again, the claims provide that the information extraction server component provides information relating to the drawing file. The information comprises file size, date, and author. While Shumaker indicates in Figure 13-2 the image name, status, size, type, date, and saved path, the information is provided as part of the AutoCAD client-based product. Further, Figure 13-2 fails to provide the "author" information specifically set forth in the claims.

In addition, the claimed information is provided to a user using a graphical user interface of a web browser. There is no description in Shumaker that indicates that this information is provided by a server component via a graphical user interface of a web browser as claimed. Instead, Shumaker's image dialog box is a particular programmed window provided by the AutoCAD program on a client machine. There is no web browser (as claimed), nor is there any network that is being displayed or used in Shumaker (as claimed). In this regard, Shumaker completely fails to describe a server component providing such information through a web browser.

With respect to the suggestion that Shumaker's AutoCAD may be capable of being a specific facility in a server – there is no suggestion, implicit or explicit, that Shumaker's AutoCAD is anything other than a single client-based drawing program. The definition provided (in the Office Action) indicates that a "server" is dedicated to providing specific facilities to other devices on a network. In other words, a server provides specific functionality and services to other devices. In the request for reconsideration (filed after the final rejection dated January 12, 2004) and in the prior Appeal Brief, Appellants requested a reference or description from anywhere within Shumaker that describes a server or AutoCAD providing the functionality as claimed. This request was merely ignored in the Advisory Action and in the new Office Action mailed on July 22, 2004.

Again, the claimed information is provided via across a network to a user using a graphical user interface using a Web browser. This information is specific and relates to the drawing file. To assert that the disclosure of AutoCAD (that fails to meet the limitations of the information provided and the manner in which it is provided) in combination with a definition of a "server" (that fails to

disclose any use on the Internet, and fails to disclose any configuration to deliver information to a user using a graphical user interface of a web browser) is without merit and improper.

Appellants also submit that neither Shumaker nor Walker were designed or implemented as a server-based program. Further, various characteristics would be required for implementation. For example, to provide a server-based program, communications mechanisms and security mechanisms unique to the server/network-based environment must be provided. Server-based applications require additional functionality to provide the information over a network and to operate in a network-based environment. The current claims indicate such server components. Further, Shumaker does not provide such functionality and is not configured nor intended to provide such functionality.

Under MPEP 2143, it is the Examiner's obligation to set forth a *prima facie* case of obviousness. As part of establishing the case, the Examiner must meet three criteria: he must show that some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Appellant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The Examiner has failed to meet these obligations.

To teach the search server component, the Office Action relies on Shumaker. Once again, the claims specifically provide that the component is a server component. However, as described above, Shumaker does not describe a networked or server-based program. Instead, Shumaker merely refers to the standard AutoCAD program. In this regard, Shumaker fails to teach this element as claimed.

Further, the search component provides a query engine that allows queries of the drawing file. Shumaker merely provides the ability to view detailed information about an image. Such a description does not teach or suggest, implicitly or explicitly, a query engine or querying the drawing file. In this regard, merely viewing detailed information does not query a drawing file. Instead, it merely displays information.

The next claimed element is that of the conversion server component that is configured to transform the drawing file into a different format without accessing the original application that created the drawing file. The Office Action admits that Shumaker fails to teach the claimed conversion server component. Instead, the Office Action relies on Walker to teach this claim element. However, unlike the present claims, Walker fails to describe a user using a graphical user interface of a web browser to view the transformed drawing file. The claims provide for the use across a network of a graphical user interface of a web browser. Instead of providing the invention's flexible Internet and web browser based system, Walker describes the use of particular printing systems and printing hardware on individual reprographer locations (see col. 3, lines 11-30).

Further, Walker fails to describe a server or server component. Instead, Walker merely describes a peer-to-peer network with multiple reprographer sites merely transmitting drawing prints from one reprographer site to another reprographer site (see col. 2, line 66-col. 3, line 63 and FIGS. 1 and 2). The presently claimed invention provides for the server component performing the transformation and the server providing the information across a network to a web browser. No such server or server component performs the transformation in Walker. There is no discussion, implicit or explicit, of a server or server components whatsoever. In fact, an electronic search of Walker for the term "server" provides no results whatsoever. Without even mentioning the word server, Walker cannot possibly describe or render obvious a server or specific server components as claimed.

In response to the above arguments set forth in the prior Appeal Brief, the Office Action has now cited and relies upon Kanter to provide the "server" aspects of the claimed invention. Kanter describes a thin-client/server environment where application execution occurs on the server and access to the applications exists on thin-client software such as a terminal device (see page ix). As stated in Kanter, the thin-client software such as MultiWin, allows multiple concurrent thin-client users to log on and run applications in separate, protected Windows sessions on the server (see page 4). Kanter, page 7 provides:

The thin-client/server architecture includes three components sitting on top of the Microsoft Windows NT Server:

- MultiWin, a multiuser layer on the server that simulates local application processing
- ICA display services on the multiuser layer that divide the application execution from the display logic

- Thin-client software, such as the ICA client, on the client device that sends mouse movements and keystrokes to the server while accepting display images

As can be seen by Kanter, a thin client (i.e., ICA client) interacts with MultiWin (which runs on top of a server) separates the application logic from the user interface at the server and transports the user interface to the client (see page 4). However, what is lacking from this description is a single server application (and NOT a client application) that provides the various components set forth in the claims. In this regard, Kanter does not describe porting a client based application onto a server. Instead, Kanter describes a server application where the user interface and display is merely transferred to a client. The prior art relied upon does not describe any application that is capable of executing on a server and performing the functionality set forth in the claims.

The Office Action relies on Kanter to teach that the World Wide Web is an Internet client server hypertext-distributed information system and that ICA allows an application's logic to execute on an application server. However, the thin-client/server model described in Kanter is significantly different and distinguishable from the system set forth in the claims. Kanter, on page 37, provides:

How does this all relate to the thin-client/server model? While it seems that a browser is a simple piece of software, it requires quite a bit of the system's resources to run. If you want to run the latest browsers and take advantage of the latest innovations on the Internet, you still need to use a relatively powerful computer, even if it's a network computer. However, you can run a computer browser on the server and use thin-client software such as ICA to view the browser. This way, you don't tie up local system resources.

Thus, instead of a server having/comprising the various components and transmitting the information across a network to a graphical user interface (GUI) of a browser (as claimed), Kanter describes the actual browser running on the server (and not the client) and a thin client software to view the GUI of the browser. Such a description and implementation is entirely separable and does not render the present invention obvious.

Again, the claims provide for a single server that contains specific components that provide specific functionality. The various components are executed on a server and the results/output from the components are provided across a network to a user using a GUI of a browser. Kanter does not even remotely describe such functionality, implicitly or explicitly.

The final Office Action submits that it would be obvious to use Kanter and Walker to modify Shumaker. However, Shumaker's "internet"/"internet utilities" capabilities provide for

storing the files in an HTML format and then transferring the files to a web site where they may be accessed. Kanter's server could potentially be used to execute an application AND execute the browser. Further, Kanter's ICA could be executing on the client and be used to view the display of the browser which has loaded Shumaker's HTML files. However, the combination of Kanter and Shumaker would still fail to provide for executing the various components on a server and transmitting the results across a network to a browser executing on a client machine. In this regard, the combination of Shumaker with Kanter does not teach the invention as claimed.

Neither Shumaker nor Kanter provide the specific components configured to perform the specific functionality on a single server component as claimed. Instead, the combination merely describes the transfer of HTML files to a server that is executing an application including a browser and then sending the information across a network to an ICA application on a client. Such a combination does not even remotely describe, teach, or suggest, the invention as claimed.

Again, Shumaker merely provides the ability to store files in a format capable of being viewed by a web browser and then a web site hosting those documents. Such a disclosure does not even remotely resemble the invention as claimed.

The Office Action states that one would have been motivated to combine Kanter and Walker with Shumaker to provide greater uniformity according to Walker and because Kanter provides "in addition to simplified management... application and data security is outstanding". However, Kanter's simplified management and application and data security are provided by the server managing and executing all applications. Such control is contrary to that set forth in Shumaker where an application is executed locally and then results are transmitted to a web server. Thus, there is not motivation to combine the references.

Appellants further submit that while AutoCAD would like to share information with systems that do not have AutoCAD installed, the only manner in which Shumaker solves the solution is to store the images in HTML for access on a website. In this regard, Shumaker's AutoCAD is not intended to and cannot function as a server-based application as claimed. In this regard, the Examiner is making an assertion that is completely contrary to the functionality available with AutoCAD and fails to provide any factual support for the assertion.

Further, the various claimed server components existing on a single server are lacking in the cited references. The claims provide that a single server provides all of the functionality disclosed. The Office Action attempts to break up the functionality and show that multiple different client computers provide similar functionality. Firstly, as described above, Appellants traverse any suggestion that the client computers or that Kanter's server perform the claimed functions.

Additionally, Appellants note that under MPEP 2141.01, in determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). Thus, Appellants submit that it is inappropriate to break up the claim as suggested in the Office Action. Instead, the claimed server "as a whole" must be examined and determined if a prior art reference teaches the claimed elements on a single server.

As stated above, the cited references fail to disclose the claimed server limitations. Further, as set forth above, there are significant reasons why a server could not contain or provide the functionality as claimed. Some of which include that AutoCAD could not be put into a server environment. It simply would not work. In this regard, there is no support for any argument that Shumaker's AutoCAD would work on Kanter's server or in the thin-client/server environment. In addition, Schumaker's AutoCAD does not and cannot operate in an Internet environment. The content of Shumaker's chapter describing use on the Internet merely provides for saving a drawing in a format that can be viewed using a Web browser when the file is placed on a Web site. Such a limited Internet use is further enforced by the description of the "Web site" provided within Shumaker's chapter 15:

A Web site is a collection of HTML documents (which can include text, graphics, and sound files) that others can view on the Internet using a Web browser. Only a Web browser is required, so you can now share drawing information with systems that do not have AutoCAD installed.

As can be seen by this text, Shumaker fails to teach the server components and functionality as set forth in the claims. Shumaker also fails to describe or suggest any use of AutoCAD on, in, or as a server.

In view of the above, Appellants submit that the present invention provides the ability to provide access to drawing information on a network (see title and claims). To teach such a server environment, the Office Action merely provides a reference that describes a client-based AutoCAD program (Shumaker), a patent that describes the use of various different hardware programs on individual reprographic client machines (Walker), a patent that describes the standard delivery of web content (Bodin), and a patent that describes a thin-client/server computing environment (Kanter). Such a teaching does not even remotely resemble the particularized method, system, and article of manufacture claimed wherein various specific server components perform various tasks and the results of those tasks are provided to a user operating a graphical user interface on a web browser. In view of the above, Appellants submit that the claimed invention is patentable over the cited references.

The present Office Action responds to the prior arguments as follows:

Although the art of record Derfler page 119 does discuss "application server", Derfler does not explicitly discuss placing client-based applications on servers. Therefore, the Examiner will introduce new art that explicitly discloses placing a client-based application (such as Shumaker's AutoCAD) on a server, and adding functionality. Specifically, see Kanter page 6 "MultiWin, a multiuser layer on the server that simulates local application processing".

Appellants respectfully traverse and disagree with these assertions. Firstly, the new art does not explicitly disclose placing a client-based application such as Shumaker's AutoCAD on a server. In this regard, Kanter does not even remotely describe an graphics program or AutoCAD whatsoever. The above citation relies on the reference to Multiwin and the Examiner added emphasis to the citation that simulates local application processing. Appellants note that the simulation of local processing provides the ability so that the ICA thin client thinks it is working on an application executing locally (see page 6-7 of Kanter). However, in the present invention, the claims do not attempt any such simulation. Instead, the information is transmitted across a network to a user using a GUI of a browser. In other words, the user is using a browser and does not care if the application is executing locally or not. Accordingly, the reliance of Kanter to cure the deficiencies of the previously cited art is without merit.

In conclusion, Appellants reassert the earlier provided arguments and submit that not only do the cited references fail to teach the limitations for which they are asserted, but the combination

of the cited references still fails to teach the invention as claimed. In addition, there is no motivation to combine the references.

Moreover, the various elements of Appellants' claimed invention together provide operational advantages over Shumaker, Walker, Bodin, Guck, and Kanter. In addition, Appellants' invention solves problems not recognized by Shumaker, Walker, Bodin, Guck, and Kanter.

Thus, Appellants submit that independent claims 1, 6, and 11 are allowable over Shumaker, Walker, Bodin, Guck, and Kanter.

B. Dependent claims 2, 7, and 12 Are Patentable Over the Cited Art

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Bodin, U.S. Patent No. 6,604,106 (Bodin).

Original claims 2, 7, and 12 provide for the use of active server pages that interacts with server components to obtain requested information using a graphical user interface of a web browser. The Office Action admits that both Walker and Shumaker fail to teach this claim. However, the Action relied on Bodin instead. However, Bodin merely describes the compression and delivery of web server content (see title). Appellants do not assert that Internet communications and active server pages are unique. Bodin merely teaches these standard Internet/web components. However, Appellants do assert that the manner and method in which these particular components are utilized in the present claims are patentable. Specifically, the claims provide for an ASP that interacts with the specifically claimed server components to obtain requested information in the graphical user interface on the web browser. In this regard, the claims are directed towards a server/client/browser environment with the exchange/transmission of information. None of the cited references even remotely allude to such an invention.

The prior correspondence from the Patent Office and the pending Office Action (mailed in response to the Appeal Brief) fail to address these arguments. Accordingly, Appellants submit that these claims are in allowable form.

C. Dependent claims 3, 8, and 13 Are Patentable Over the Cited Art

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Bodin.

Claims 3, 8, and 13 provide a limitation where the conversion server component is cached. In other words, the software component that conducts the conversion of the drawing formats is cached.

In rejecting these claims, the Office Action merely refers to Bodin at col. 6, line 62. Bodin, col. 6, lines 58-62 merely provides:

...In like manner, the client process 46 includes a caching routine 84 that responds to a request for a Web page to determine whether a recently retrieved, compressed version of the requested page is already cached in the browser page cache.

This text does not even remotely teach the subject matter set forth in claims 3, 8, and 13. This cited portion refers to a browser cache page. The claimed conversion component is a server component and is therefore cached in the server. A browser cache on a client is significantly different from a server cache in that a browser cache merely caches previously seen web pages. The cited portion clearly indicates that the browser cache is viewed to determine if the viewed web page is present in the browser cache. Such a teaching does not even remotely refer to a conversion component (that transforms drawings into different formats) into cache.

Accordingly, Appellants respectfully request reversal of these rejections.

D. Dependent claims 4, 9, and 14 Are Patentable Over the Cited Art

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Shumaker in view of Walker, Kanter, and Guck, U.S. Patent No. 5,911,776 (Guck).

Claims 4, 9, and 14 provide that the search server component utilizes an index server that interacts with one or more drawing filters to filter and retrieve information. In rejecting these claims the Office Action relies on Guck col. 4, lines 7-16 which provide:

The Server module 50 provides a mechanism that enables secure communications to occur between the clients, such as 10, 20, 30, 33 etc., and the Server 50. It provides a database repository for all documents, together with the ability to index and search the documents with a powerful search engine. The search engine and its supporting database 58 uses the OSMOS 54 database manager to manage the storage, verification, and access to resident documents which include embedded graphics, sound clips, and video clips, as shown in FIG. 8.

Examining this text and figure 8, it is apparent that the search engine merely permits the searching for a file based on file type. Accordingly, Guck does not provide for filters at all. Instead, it merely provides for searching for files with a certain suffix. Further, Guck fails to teach, disclose, or suggest drawing filters as claimed. In this regard, the word "drawing" cannot merely be ignored when evaluating the claims. Drawing filters are specifically set forth in the present specification:

For example, each drawing filter 422 may filter information from a different type of drawing format such that one drawing filter 422 may be for DWG files, another filter 422 for DWF files, and another filter for DXF files, etc. Additionally, management console 426 may contain a server application MMC (Microsoft Management Console) snap-in 432. A MMC snap-in 432 is a component responsible for performing management tasks. MMC 426 serves as a host for snap-in-defined user interfaces, but does not limit what the snap-ins 432 can do or how they communicate with the administered services.

In view of the above, Appellants submit that dependent claims 4, 9, and 14 are allowable over the cited art and respectfully requests reversal of the rejections.

E. Conclusion

In light of the above arguments, Appellants respectfully submit that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellants' claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. §§ 102 and 103. As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP

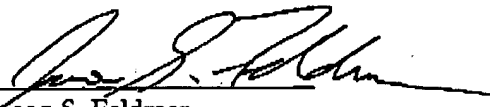
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APPENDIX

1. (PREVIOUSLY PRESENTED) A computer implemented system for providing access to a drawing comprising:
 - a drawing file;
 - an information extraction server component configured to provide information relating to the drawing file from a group of information comprising file size, date, and author;
 - a search server component configured to provide a query engine that allows queries of the drawing file; and
 - a conversion server component configured to transform the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file; anda server comprising the information extraction server component, the search server component, and the conversion server component, wherein the server is configured to provide the information, query results, and the transformed drawing file across a network to a user using a graphical user interface of a web browser.
2. (PREVIOUSLY PRESENTED) The system of claim 1 further comprising an active server page (ASP) that interacts with one or more of the server components to obtain requested information in the graphical user interface on the web browser.
3. (ORIGINAL) The system of claim 1 wherein the conversion component is cached.
4. (ORIGINAL) The system of claim 1 wherein the search server component utilizes an index server that interacts with one or more drawing filters to filter and retrieve information.
5. (ORIGINAL) The system of claim 1 wherein the drawing file is stored in DWG file format.
6. (PREVIOUSLY PRESENTED) A method for providing access to a drawing comprising:

obtaining information relating to a drawing file from a group of information comprising file size, date, and author;

providing a query engine that allows queries of the drawing file; and

transforming the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file;

providing the information, query results, and the transformed drawing file across a network to a user using a graphical user interface of a web browser.

7. (PREVIOUSLY PRESENTED) The method of claim 6 further comprising obtaining requested information in the graphical user interface on the web browser using an active server page (ASP).

8. (ORIGINAL) The method of claim 6 further comprising caching the conversion component.

9. (ORIGINAL) The method of claim 6 further comprising filtering and retrieving information utilizing an index server that interacts with one or more drawing filters.

10. (ORIGINAL) The method of claim 6 wherein the drawing file is stored in DWG file format.

11. (PREVIOUSLY PRESENTED) An article of manufacture embodying logic for performing a method for accessing a drawing over a network, the method comprising:

obtaining information relating to a drawing file from a group of information comprising file size, date, and author;

providing a query engine that allows queries of the drawing file; and

transforming the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file;

providing the information, query results, and the transformed drawing file across a network to a user using a graphical user interface of a web browser.

12. (PREVIOUSLY PRESENTED) The article of manufacture of claim 11 wherein the method further comprises obtaining requested information in the graphical user interface on the web browser using an active server page (ASP).

13. (ORIGINAL) The article of manufacture of claim 11 wherein the method further comprises caching the conversion component.

14. (ORIGINAL) The article of manufacture of claim 11 wherein the method further comprises filtering and retrieving information utilizing an index server that interacts with one or more drawing filters.

15. (ORIGINAL) The article of manufacture of claim 11 wherein the drawing file is stored in DWG file format.